

Mr. KENNEDY. If that is agreeable to the Senator.

The PRESIDING OFFICER. The Chair will need someone to fill in for him.

The Senator from Wyoming objects. Objection is heard.

The Senator from Tennessee now has 1 hour.

EDUCATION FLEXIBILITY PARTNERSHIP ACT

Mr. FRIST. Mr. President, over the next 60 minutes we will be addressing our children's education, which is a continuation of the debate that we brought to the floor last week. Although the debate has ranged from the initial presentation of the bill to various amendments, it is the underlying bill that I would like to spend a few moments discussing.

The Ed-Flex bill is a simple bill, a straightforward bill, and a bipartisan bill. It was brought to the Senate floor last week in order to pass it through the Senate, have it pass through the House of Representatives, have it sent to the President of the United States, and signed so that all 50 States would be able to take advantage of a program on which we have a 5-year history, that has been demonstrated to work, that was initially applied in six States, and then another six States. There are 38 States such as Tennessee that do not have access to an Ed-Flex program.

Ed-Flex is a program which basically says that individual schools and school districts and communities would be able to obtain waivers to be able to meet very specific education goals to educate their children, but they can do it in a way that is free of the Washington bureaucratic regulations, the excessive redtape which we hear again and again is shackling the hands of our schools and our teachers who are working so hard to educate our children, to prepare them for a future full of opportunities, to prepare them for that next millennium which we all talk about in such glowing terms. Yet we recognize that in spite of giving the system a lot of money, in spite of progress in structure, we are failing our children. We are not preparing them for that next millennium.

So now is the time to pay attention to what people are telling us, to what parents are telling us, what principals are telling us, what teachers are telling us. We need to respect the needs of the local communities, because each community is different, rather than thinking in this body that we can decide if you put more teachers there, you are going to do better without telling them what the quality of that teacher might be or telling them that you need just another computer, and if we put that computer in your classroom, your students will do better.

No, we should listen to the schools that say let us take those same re-

sources—we know what it takes to educate our children—let us carry out our type of program free of the bureaucracy, free of this administrative burden. And that is what Ed-Flex is all about. This particular bill costs nothing.

We have heard of a number of well-intended programs talked about this morning and introduced as amendments, really loading down our bill, but they cost \$200 million here, \$500 million here, \$1 billion here, \$6 billion here, \$12 billion over 6 years.

We should have that debate at some point because we know that we are not educating our children nearly as well as we should, and we need to debate resources. And we most appropriately are doing that in the committee structure right now where we are looking at all of the elementary and secondary education programs through the reauthorization process. We have heard repeatedly that we should not just add one more program to the already more than 250 programs with which we have been trying to educate our children. We hear too often: Let's add this program and that will take care of our problems today.

Well, it sounds good and it makes good sound bites and it may even poll well, but it is absurd to think that one program is going to solve our education problems. So let's start with the basics. The Ed-Flex bill includes flexibility at the local level, gets rid of Washington redtape, provides strong accountability provisions built in at the local level, at the State level, and at the Federal level. For instance, performance standards and content standards are built into our Ed-Flex bill, as well as issues at the State level such as corrective action and technical assistance, and accountability is built in at the State level and at the Federal level. In fact, the Secretary of the Department of Education can at any time terminate a waiver.

Ed-Flex means greater local control for education decisions, has no cost to taxpayers, and is supported by all 50 Governors. Just 20 minutes ago I was talking to a Governor, and I basically said here we are, in Washington. We have a bill that is supported by every Governor in the United States of America. If we are allowed—and we are going to try again with the cloture vote today—to bring this bill to the floor for a vote, I bet you it will pass 99 to 1. That is how good the bill is. Yet, because of political posturing, because of polls, because of an agenda that someone else has, some have come to the floor of the Senate and are holding the bill hostage.

When I mentioned the Ed-Flex bill while traveling across Tennessee Saturday and Sunday talking to parents—I was in three high schools—parents basically said, what is going on in Washington, DC? I thought now was

the time for nonpartisanship, for coming together, for bipartisanship. I thought you had finished the gridlock that we have seen in Washington. "We expect more out of you, Senator FRIST." And I said, "Yes, I will go back, and I will do my very best." Yet, I come back and again its gridlock.

Our bill very simply means education flexibility. It costs nothing, it has bipartisan support, and provides flexibility and accountability. Everything else you have heard about over the last few years is a new program, costing billions of dollars—silver bullets. People say, "That's what we need because it sounds good. I go home and I talk to parents. They don't know what education flexibility is all about. But I tell them about adding quantity, adding numbers of teachers, and they listen. Well, that is the whole point. We need to do what is right. We don't need to do just what sounds good because what sounds good doesn't work. For the last 30 years we have done what sounds good, but without any improvement whatsoever.

We need Ed-Flex. We have to forget this gridlock. In the next 45 minutes or so, that will be our discussion.

I see that my distinguished colleague from the great State of Florida has arrived, and I would like to yield 10 minutes to my colleague.

Mr. MACK. I thank the Senator for yielding. I will not use that much time. I thank the Senator for the leadership he has provided on this legislation.

It was really not my intention to speak on this bill because I was under the impression that this bill had great bipartisan support, that we would bring this to the floor after coming out of committee, and it would breeze through the Senate. This is a piece of legislation that is supposedly—supposedly—supported by everybody.

I am pleased to speak in favor of the Ed-Flex bill. Our children will thrive when State and local communities are given the freedom to craft their education plans according to the unique education needs of their children. Local schools do more when Washington bureaucracies do less. That is what this bill does.

We are beginning the second week of consideration of this bill. We have been forced to file three cloture motions on what may be the most popular, most bipartisan legislation we will consider this Congress. I fear this may set the tone for the remainder of the 106th Congress, where consideration of any bill will be filibustered by the Democrats and drive partisanship to new heights.

As I implied a moment ago, I am in some ways confused by what is happening. I do not understand how a bill that supposedly is supported by an overwhelming number of Members on both sides of the aisle has been caught up in this constant and continuous effort to amend the bill.

I think the actions we have seen during this past week, and what we are anticipating through the balance of this week, raise the question about those who have cosponsored the bill and who say they are in support of it. I question whether they truly support the idea of Ed-Flex, which is to allow State and local communities to have more control over how dollars are spent. I think there is a ruse underway here. I think our colleagues on the other side of the aisle want to claim that they support the idea of giving local communities and States more authority and more flexibility in how to spend their dollars, yet they come out here and offer amendment after amendment on this bill, knowing full well—and I ask the Senator from Tennessee if this is not the case—knowing full well the majority leader has said to them there will be other opportunities to offer these amendments on other education bills when they come forward. Is that an accurate statement?

Mr. FRIST. Mr. President, I would love the opportunity to respond to that, because that is exactly right. It is crystal clear that these are important issues in all of these amendments, all of which are so well intended, all of which sound so good. The point is, as we speak, right now in the Committee on Health, Education, Labor and Pensions, the large bill in which all resources going into kindergarten through 12th grade is being addressed, the committee is looking at how effective they are, how they interrelate to each other—because right now we have 180 or 190 or 200 programs, all in K-12 education, all with their own little bureaucracies, all well-intended, but with huge overlap, huge duplication, huge waste. Again the goals are very good, but we have a process to look at all of those.

That is ongoing as we speak. Hearings are going on right now in that particular committee on every one of these issues. That is the appropriate forum, not to bring them to the floor, especially when they cost \$12 and \$15 billion. And now is our opportunity, now, to pass that single, straightforward, education flexibility, no-cost, demonstrated-that-it-works, bipartisan-supported bill, and that is where the gridlock is.

Mr. MACK. As I said a minute ago, I really am serious now in raising questions about the sincerity of our colleagues on the other side of the aisle who purport that they are in favor of Ed-Flex but, yet, want to bog this piece of legislation down with a whole series of amendments they know are controversial.

There is nothing wrong with us dealing with controversial amendments and controversial issues. We do that throughout our entire political careers. The question is the timing of it. The question is the approach. I am, again,

dismayed by the attitude that is being projected here. I, again, question sincerity.

Recently, we went through a 5- or 6-week period at the beginning of this new Congress with a very contentious issue dealing with the impeachment trial. But each side made a sincere effort to work with the other, and as a result I think we did a credible job. I think most people in the country think we did a credible job. Yet, on this the second piece of legislation we are considering, we are being forced to offer cloture motion after cloture motion after cloture motion—three so far. There should be no question in anyone's mind that the intention here, I believe, is now to kill this piece of legislation because it goes against their political interests. It goes against their philosophy.

In all honesty, the differences in the approach about education in America is clear. Our colleagues on the other side of the aisle are convinced the only way to improve education in America is to have a larger group of wiser bureaucrats in Washington make a determination about how resources ought to be allocated and what regulations ought to come down from Washington in order to solve this problem.

We have a totally different view. We think if we give this money to the States and the local communities, they can make better decisions about what their top spending priority is. In some local school districts that is school buildings. In other school districts that is school books. In others, that is teachers. We ought to allow them to make those decisions. We should not stand in their way.

Again, I came here to raise these points with respect to the process, as much as anything else. I remind everyone that, in the last Congress, there were 69 cloture motions that were filed—69 cloture motions. And here we are again battling along party lines about a bill that we were told might pass with 100 votes. I have serious reservations now whether that is going to happen. I think the actions of our colleagues on the other side of the aisle are very clear. They are now trying to kill the idea of allowing States and local communities to have more flexibility.

Again, I appreciate the work and the effort of the Senator from Tennessee on this issue. He has provided great leadership and I appreciate the opportunity and the time he has given me.

With that, I yield the floor.

Mr. FRIST. Mr. President, I thank my colleague from Florida because he really has hit the nail right on the head. We have a bill, Ed-Flex, with flexibility, with accountability, with broad support among the American people. That bill will help the American children, No. 1.

No. 2, we have Members on the opposite side of the aisle who recognize

they can kill this bill. They can kill this bill. They cannot vote for cloture and therefore effectively filibuster this bill, but at the same time, hide the fact that is actually hurting our children. We hear, again, of all these well-intentioned programs. "Oh, if we can pass those, we can help our children." Let's recognize the facts. By killing this bill, by filibustering this bill, they are preventing something which is demonstrated to work for our children from being delivered to our children right now.

Delaying tactics will put it off for a couple of years. Yes, it will eventually pass, but why not give our children something today? Why deny them that? Because of gridlock? Because they want to define an agenda or they want to take the President's agenda and bring it to the floor? It is hurting the children. We need Ed-Flex. We cannot tolerate gridlock.

I see my distinguished colleague from Georgia is on the floor. I would like to turn to him. Let me just briefly quote from a letter from the Democratic Governors' Association from 2 weeks ago, February 22, 1999, just to demonstrate the broad support and how what is happening on the other side, the obstruction, doesn't represent what the Democratic Governors tell us. They say:

Democratic Governors strongly support this effort to vest state officials with more control over the coordination of federal and state regulatory and statutory authority in exchange for requiring more local school accountability.

* * * * *

Most importantly, S. 280 [which is our bill, the underlying bill here] maintains the careful balance needed between flexibility and accountability.

They end by saying:

S. 280 [that's the Ed-Flex bill] is commonsense legislation that we believe deserves immediate consideration. We hope, therefore, that you will join in supporting its prompt enactment.

This is a letter to the U.S. Senate from the Democratic Governors' Association supporting "prompt enactment," yet we see this obstructionist filibustering going on.

I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER (Mr. FRIST). The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, first I acknowledge the Senator from Tennessee, the Senator from Vermont, the Senator from Oregon, Senators FRIST, JEFFORDS and WYDEN, for the extensive work they have been about trying to address this enormous issue in America. The data that we are receiving is striking to me, particularly in grades kindergarten through high school, about failed reading skills, last in math, last in science among the industrialized nations. America knows

this. You can ask any community what is the No. 1 issue in the country today, and they will tell you we have trouble in our school systems. We are not effectively equipping all of our citizens with the ability to participate in this society. If that is allowed to continue, it will have the effect of crippling the United States in the new century.

I have often said, to the extent that any citizen is denied fundamental educational skills, we have abrogated their ability to be full citizens and to enjoy the benefits of American citizenship. An uneducated person will not be a free person. By allowing so many of our students to come through the system and to have missed the mark, we are in danger of creating for the first time in America a cast system. This never existed in America.

There is vast mobility in our population—people coming up the economic ladder; people coming down. It is not static. We will change that, if we turn our heads away from allowing hundreds of thousands of our citizens to come through the educational system without being equipped to be a full participating citizen. That is why I was proud to be a cosponsor of this piece of legislation, the Education Flexibility Act, which has already proven itself in 12 States. This legislation expands what is working. We need those things that are working out there.

I do not believe I have ever in my career in the U.S. Senate seen a piece of legislation that has the approval of every Governor in the United States. I do not believe I have ever seen that happen before. Every Democrat Governor has signed a letter of endorsement for this piece of legislation; every Republican Governor has signed. How many times? It has never happened.

In the face of that, we are on day 7, holding reform legislation that has been proven to work, supported by every Governor, we are holding it hostage. We are holding all those students who can benefit from this hostage. They are last on the list. We have to serve some other agenda, some bureaucracy, some status quo. They come first. Just let those students sit out there with those miserable scores. Go ahead and let 30 and 40 percent of our students come to college unable to effectively read; go ahead and let the States spend millions upon millions of dollars to retrain them to see if they cannot somehow salvage a college education and career. So what? Just put the old fist down, dig your heels in and leave everything the way it is.

This reminds me of the struggle for welfare reform. You didn't have to be a rocket scientist to understand that program was in deep trouble. It was costing America trillions of dollars, and it was producing dependent, not independent, citizens. It was stunting the future of millions of Americans. Yet, it took a massive struggle, year

after year, same crowd, I might point out. Just leave things the way they are; go ahead and let those folks lose their opportunity and their lives. Do not give them a chance to be full participatory citizens.

It finally got done, and millions of Americans have learned the American way. They have jobs. They are getting off welfare rolls by the thousands in every State.

So here we have another picture. We have an education system that is producing very troubling results. The Senator who is now presiding and his colleague come forward with a very clean, simple idea to try to help the States, which manage education, set better priorities, make the money be more effective, get in there and try to turn this around. What does turning around mean? It means you are saving the future for some child. You are giving them their chance. This kind of resistance is saying, OK go ahead and let them be strangled and choked down. That is OK. How can anybody in this Capital City accept the status quo? It is beyond me.

As you have said over and over, Mr. President, this bill, simple, clean, is about removing handcuffs and shackles and letting Governors and State legislatures and school boards get in there and get those resources to what the priorities are—in other words, reducing the overhead. You have said many times, and I agree completely, the Federal Government makes about 6 to 7 percent of the funding available for elementary education, but 50 percent of the overhead and administrative regulations are directly tied to that. Twenty-five thousand employees across America are required to administer that slim piece of the puzzle. Your bill gets at that, begins reducing that overhead and that waste, and diverting the attention of those teachers away from the kids to some regulatory system.

The amendments being talked about, bandied around town, miss the whole point. This is about reducing the overhead and putting more of the resources in the classroom.

Let me read from the genesis of one of these amendments desired to change your bill. It is called "Applications." It is a section about how to apply under one of these amendments.

Applications Required: If any State chooses not to participate in the program under this Act, or fails to submit an approvable application. . . .

Applications Required: The State educational agency of each State desiring to receive an allotment under this Act shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require.

That is the Secretary in Washington, not in Wyoming, not in Georgia, not in Tennessee. It is the person in Washington.

Contents: Each application shall include (1) the State's goals for using funds under

this Act to reduce average class sizes in regular classrooms in grades 1 through 3, including—(A) a description of current class sizes in regular classrooms in the local educational agencies of the State; (B) a description of the State's plan for using funds under this Act to reduce the average class size in regular classrooms in those grades; and (C) the class-size goals in regular classrooms the State intends to reach and a justification of the goals; (2) a description of the State's educational agency's plan for allocating program funds within the State, including—(A) an estimate of the impact of these allocations on class sizes in the individual local. . . .

You get the point, Mr. President. This is going in the opposite direction. This misses the point. This is saying that the 50-percent burden, the 25,000 employees we have out there to try to regulate the color of the classroom, how tall it will be and the size of a chair, they want to do more of that. They want more administrative burdens. They want more strings.

This is a classic division. This is a group of people who are conducting an obstructionist filibuster to block what every Governor and a vast majority of the American people have concluded is needed: That there is too much regulatory burden; it locks down the system and does not allow the system to set proper priorities. And it infers, Mr. President, that that Governor, those legislators, that community, aren't smart enough to figure out what they need to do and it requires a Washington wizard wonk in the bowels of one of these buildings over here to tell them what they need to do. That is what this division is all about.

This legislation envisions that these local communities, the Governors of our States, have a sense of the problems there and they need to be given the room to go about solving them. We have done this on a pilot basis in 12 States, and it is working. It is working. This legislation opens it up so that all the States—and you come back to the point, it is absolutely unprecedented, Mr. President, that every Governor, of both parties, would document and send to the Congress a letter that says: "Do this. We all agree."

In the face of that bipartisan support, and in the face of that magnificent requirement and urgency, what are we facing here in the U.S. Senate on something that is totally agreed to? A filibuster, of all things. A filibuster. And you can only conclude—as we fought our way through welfare reform and as we fought our way through education reform last year, the commitment to the status quo, the inconceivable ability to turn away from the absolutely proven facts about what is happening in kindergarten through high school, with all that data—the fact that those kids are not getting the mark does not matter, it is just too bad, tough luck, because we are going to defend the establishment, the bureaucracy, the status quo. They are first; the kids are last.

Those Governors did not sign this letter at some willy-nilly picnic. They are on the ground, and they know what is happening. It is a frightening thing because if we leave this unchecked, we are going to have a very, very large population that cannot work in our system. And that is going to create havoc for our country, not to mention their condition or what you have done to that person. You have left them without the tools to take care of themselves and their new families and their communities. Mr. President, that is unconscionable policy, to turn and walk away from that. It is hard for me to believe.

So I have to say, I have not been here all that long, but I have to tell you that this particular filibuster is onerous because of who the beneficiaries are of your work. They are children, they are American children. They need help, and they need it now. And this is not the way they should be treated.

Mr. President, I yield the floor.

Mr. ENZI addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Thank you, Mr. President.

I particularly thank the Presiding Officer and congratulate him for bringing this education flexibility bill to the floor of the U.S. Senate, where it should have been passed rapidly. It came out of committee 17-1. That is bipartisan. The Presiding Officer worked hard and found the common ground for education.

All during the trial, we talked about the need to get on with the country's business; and we did. We met mornings, up to the time of the trial, in committee meetings; and we passed bills out of committee. In fact, we passed more bills out of committee than passed the Senate in the entire first year I was here. We did the work of the country. We found common ground. We had a promise that common ground would be the way of the Senate for these next 2 years. Where did the common ground go? Seventeen to one; that is common ground.

I hear expressions that we want to do things for education. Well, at this moment I know that for the Democrats education is merely a smokescreen, flash-in-the-pan politics. The Republicans are insisting on a politics of performance; the Democrats are utilizing a politics of the polls. The Republicans insist on promises kept; the Democrats insist on promises made, politics as usual. That is what gives politics a bad name: Promising things you do not intend to deliver on.

We have been talking about paying for the promises we have already made. That is what IDEA is about. That is what we had extensive discussion about in the U.S. Senate last year when we figured out how special ed could be handled for this Nation. And we did find common ground. We also had this

same sort of thing on the floor where, after the common ground, there were all kinds of wedge issues that were thrown in that did not have the detail done, that did not have the committee meetings held, that did not have the substance to follow through. Those were added and added and added, not successfully, but taking up the time of the Senate.

We finally got IDEA passed, funding of special education. In that, though, we did not follow all the promises that were made. We provided 7 percent of the funding, not 40 percent of the funding for special education. But that does not mean we did not tell the States what to do. We did. We said: "States, you've got to put up the rest of that. We are just making promises." But we said that every time there was an opportunity for additional funding, that additional funding would go to special education until we got it funded. Right now we are following up on those promises.

People here are saying there is a lot of money that can be spent on education. And we are saying, OK, if there is a lot of money—and we are not agreeing that there is a lot of money—if there is a lot of money, fund what we promised first. School funding is one of the most important issues facing Wyoming and every other State. We are debating education flexibility, the Ed-Flex bill. This gives States more flexibility to use Federal money where the States and local districts need it most. State governments, local school boards, teachers and, yes, even the parents and kids need to be involved in setting the agenda for education. It should not be the Federal Government designating where every dollar is spent.

You get the impression, from the discussion we are having here, that the Federal Government is the answer to education. Let me tell you what the Federal Government does. The Federal Government provides 7 percent of local school funding. You would think we were the answer. We are a piddling little 7 percent, because we have said: "States, we've given you the mechanism to fund education. We want you to fund education. We insist that you fund education to provide education for every single kid, and there's a court system you can put that in if you don't think your kids are getting an equal break." And it is being utilized.

The Federal Government only provides 7 percent of local funding, but we provide 50 percent of the paperwork. In order to get that 7 percent money, you are going to do 50 percent of your paperwork for the Federal Government. That paperwork burden requires the equivalent of 25,000 full-time people who work on paper, not on students. It takes six times as many employees to administer a Federal dollar as it does a State dollar. I want to tell you, paperwork won't teach kids.

I have a daughter who is a seventh grade English teacher. She is a dedicated teacher. She earned her master's degree while she was teaching by going to classes evenings and weekends so she could do a better job with her kids. She understands class size. It fluctuates from year to year and from how many people move into her part of the city. She also understands IDEA funding and the way it will affect her job and the way it will affect kids in her classrooms. She understands that is something that has been debated and the details have been filled in.

It is not like this idea of 100,000 new teachers, which sounds good. It is that flash-in-the-pan politics, the politics of promises. It doesn't have the details behind it. I suspect that every teacher out there in the classroom—including my daughter—when they find out that bill prohibits that money from being used for an increase in wages for them or even an increase in benefits, they would be livid. We have an obligation to the teachers who are already teaching out there, the ones who are doing a good job, the ones who in some instances have too big a class size. But their amendment prohibits them from getting a break.

That is because we haven't had committee hearings on it. We just went right to the politics of the polls. We just went out there and said to the American people, we have studied the polls, we know you would like more teachers in the classroom, we know you would like to have your kids in smaller classes, and we will promise that. Now, we won't deliver it, but we will promise it.

That is not how the Republicans here work. It was my understanding that we were going to have some common ground. And we found the common ground. I was encouraged. But I am not encouraged anymore. I watched the President crisscross the United States while we were having this trial. He crisscrossed the United States promising money: a billion here—nothing as small as a million—a billion here, a billion there, \$4 billion there. I listened to his State of the Union Message while the trial was going on. My daughter called me the next day. She said, "I had a kid show up to class today who had a couple of questions about the President's State of the Union Message. He brought the figures on the percentages that were used in the speech and he wanted to know if those didn't add up to 128 percent of the surplus?" I tell you, the kid is good in math. The kid is good in listening.

Yes, promises were made crisscrossing this country, promises that can't be kept, promises that the American people have said take care of Social Security, balance the budget, pay down the debt if you can, and if there is anything left over at all, give it back to us. But it is much fancier to put in

the press that we are going to give away more money. It sounds great to have 100,000 new teachers in the classroom.

One of the Members on the other side of the aisle recognized this morning that they have a second issue—that is more classrooms. He even pointed out why that was an issue. It is because if you put 100,000 teachers in there, you no longer have classroom space for the kids. It takes years of planning to be able to provide what they are talking about doing in a flash-in-the-pan moment for the press.

That is not good business. That is not good legislation. That is not how we ought to be operating.

At the beginning I gave the Senator from Tennessee the credit for this bill. Now, there are some Democrat cosponsors on this. There are a lot of them. But at the moment I am not giving them any credit. They are the ones who voted against cloture as though cloture stopped everything. Cloture ends our debate in 30 hours, 30 hours of talking about this important bill. That is a lot of time. Now it isn't time to demagog everything in the papers. It isn't time to do the flash-in-the-pan, promises-made politics about which we have been hearing. And it would wind up with a vote at the end where we would see if we were really in favor of education flexibility, less paperwork, so that teachers can spend more time in the classroom.

I now think that they do not want that kind of a vote. They would rather make promises.

The bill that we have before the Senate is extremely important. There are a lot of things in it that will actually improve the capability of the present teachers in the classroom. It won't restrict their pay. It won't keep them from getting additional benefits. But it will be funded because it doesn't require any funding. That is why we object to some of these measures being put on this bill at this moment.

Yes, it is an opportunity to make the press. No, it is not the appropriate place to make the press. The more appropriate place is to have the hearings, fill in the details, get the agreement on the common ground. The more appropriate place might be appropriations. But just in case appropriations doesn't come up—oh, yeah, that is a requirement; we have to cover appropriations—at any rate, even if it weren't to come up, there is the Elementary and Secondary Education Act. That is about funding. That is about elementary schools and secondary schools and how many teachers there are. Sounds like a more appropriate place to me. Sounds like the place where we ought to work for common ground instead of bringing it up without a hearing, bringing it up without the details pasted in.

There is a lot of demagoging going on here about amendments. There have

been some 15 amendments. I have heard that we may have to debate all of them. Of the 15, 10 require new money, 2 or more will force new mandates on the States—more paperwork for that piddling little 7 percent money that the States get, something that guts flexibility, which is the intent of this bill.

The others are amendments to elementary and secondary education that are not appropriate on this bill. This bill isn't part of elementary and secondary education. It never was. We passed this bill last year with the President's support without all of those extraneous programs. Let me repeat: We had the President's support on the exact bill last year. Now the President says, If you don't add a bunch of these flash-in-the-pan politics for me, this additional spending, I will have to veto your bill.

I am a member of the Senate Health, Education, Labor, and Pensions Committee. I am glad to debate those new authorizations in that committee. I will not support authorizing these very expensive mandates on this bill. It doesn't make any sense to me, for example, to put a \$1.4 billion mandate onto States and locals to hire new teachers without the details. One of those details is what happens when the Federal Government doesn't provide continuing funding. That is what we do with these flash-in-the-pan politics. We fund them for a while. We get the benefit of the press on them, and then we dump them like a hot potato because we can't afford them. Where does that leave the school district that hired that teacher, reduced the class size, promised those parents they would have a smaller class size? It puts them behind again with another mandate to fund the project that had some temptation for them when it was money being offered.

Let me ask another question. The way we work Federal legislation and regulations and paperwork, when it is recognized that we cannot afford that teacher who they have been given, who gets laid off, the Federal hire or the local hire? This bill is about local folks. This amendment is about Federal rules and regulations.

That is why the underlying bill is such good medicine. It is a good dose of common sense for a system beleaguered by Washington fever. It doesn't offer any new programs. It doesn't offer billions of dollars to hire a bunch of consultants. It offers a new format for innovation. That is it. The format is flexibility so States and locals can improve their schools.

Every Member of this body should support this bill. If it ever comes to a vote, I am sure they will support this bill. Or at least I was sure. But when you have cosponsors who don't even vote for cloture that would allow another 30 hours to debate the bill, I am

not sure. I know our States will thank us for this bill, our schools will thank us for it, most importantly, our kids will thank us for doing it. It is time to put away the promises made—the politics of the poll, the politics as usual—and do some promises kept.

This bill is a promise made. It is a promise that can be done. It is the common ground that was talked about during the trial. It is time to find that common ground.

Mr. President, I yield the floor and reserve the remainder of the time.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I appreciate the opportunity to come back to the floor to talk about Ed-Flex and the importance of that measure for the good education of our kids, and that is what we ought to be talking about.

We heard a lot of posturing. Everybody thinks the ideas that come out of Washington are great. Frankly, listening to some of the ideas, I think those are good ideas. If we were a great big United States school board, if we were making the decisions, if we had the responsibility and the authority of making decisions for educating our kids, these might be ideas we would adopt. In any event, they are good ideas to be talking about.

There is a real disconnect, and that is what the Ed-Flex measure begins to address. I sincerely hope that our colleagues on the other side of the aisle will let us have a vote on this very, very important bill. We need to move on. There are a lot more things we need to do in education beyond this.

I am going to have a very radical proposal to get the Federal Government strings off local education all the way. But I think Ed-Flex is a good bipartisan start, and it builds on a successful example that has been tried in 12 States. It is working. It is working because it gives the flexibility to local school districts to decide how they wish to use the money.

The people in the local schools—the school board members, the teachers, the administrators, the parents—know the names of the kids. They know Joe and Sally and Harry and Willie and Thelma and the kids who are being educated in that school district. They know what their challenges are. Some of the good ideas we have in Washington may not work in a particular school district. It may not be the right recipe. Who better to make the decision than the people who know the children, who know their potential, who know their problems?

I have found in meetings with educators and parents in every section of this State—in the metropolitan areas, in the urban schools, in the suburban schools, in the rural schools, in the big school districts and the small school districts—that there is one theme that

has become a recurring and a growing crescendo. It is: The Federal camel's nose is under the education tent, and it is not doing good things. It is taking time away from the task of educating the kids. When a teacher has to spend hours writing a grant or a principal has to spend time to figure out if they are doing things the way the bureaucrats in Washington want them, he or she is not worrying about what is good for educating Sally or Tommy or Ralph or Cheryl or the kids who are actually getting educated.

I am very fortunate, my son is finishing up high school. We watched during his education; we wanted to know what was going on in the classroom, how was he working with his teacher. We as parents knew that. The people who run the local schools know that, but those coming up with great ideas in Washington have no idea of the names of the kids or what their problems are.

I thought maybe it would help my colleagues if I shared a few of the stories we are getting from schools in our State. These are smaller schools. It does not matter what the size of the school is, the child who is in that school is just as important whether she or he is in a major metropolitan school district or in a small rural district.

Here is a letter from the superintendent of the Bismarck R-V School District. In part it says:

... In our small school of 700 students, we receive less than \$15,000 in the combination of Title II, Title IV and Title VI funds. The restrictions on these funds make them very difficult to deal with for such a small amount of dollars. Some years we consider not using them, simply because the time and effort are not worth the small amount we receive. Removal of some or all of the restrictions would allow us to use the funding to better meet the needs of our school instead of spending the funds in the very restrictive designated areas of Federal funding.

Signed, Donald E. Francis, Superintendent, Bismarck R-V Schools.

North Mercer District R-3 Public Schools:

... As the system now works we are overwhelmed by federal and state forms and regulations. We also sacrifice many dollars to support federal and state bureaucracies that compound the forms, rules and regulations.

We encountered one program this school year with in excess of 150 pages of instructions. We would like to bring dollar, services and equipment directly to children for their educational benefit.

And one more. The Webb City School District R-7:

... Those of us who have spent a career in education have repeatedly experienced the jubilation of anticipation that arose from promises made by the Federal Government toward education. Unfortunately, however, excitement was then always tempered by the reality of the red tape that accompanied the promise. As the result, frustration was generally the only product forthcoming.

Signed, Ronald Lankford, Superintendent of Schools, Webb City School District R-7.

Mr. President, that is just a very small sample of the kind of response we are getting from our schools. I challenge any one of you here, any one of our colleagues, to go home and ask the educators who have the job—it is a wonderful opportunity, it is the most important job that we have in this country—of educating our students: Are the 763 different Federal education programs we have right now improving education? I get an overwhelming no. We have to worry about the Washington bureaucracy rather than the needs of the kids in our classrooms.

This reality has been recognized. The Nation's Governors—Democrat, Republican, and Independent—50 to 0, said, "We want to expand Ed-Flex; we want the opportunity in all of the schools in this country to get rid of and cut away some of the bureaucracy and some of the redtape and put that money directly back to education."

There is bipartisan support for this bill. The bill has been supported by the President, by the Secretary of Education, both of whom were former Governors. I am a former Governor. I served with both of them, and we know the importance of education. But the decisions on how we spend the last dollar of Federal aid are not best made here, they are best made at the local school district level.

I really hope we can move forward and get this money directly to the schools, giving them the flexibility to use those funds where they are most needed. I urge our colleagues to allow us to do so and pass this bill and go on to the many other important issues involving education that we will be facing later this year.

Mr. President, I yield the floor and reserve the remainder of the time.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER (Mr. ENZI). The Chair recognizes the Senator from Idaho.

Mr. CRAIG. Mr. President, I associate myself with the remarks of the senior Senator from Missouri. He speaks so clearly about the frustration that exists at local levels today of decisionmaking for education, in that sometimes what might work in New York City just does not seem to fit down on the farm or near the farm in Missouri or in a rural school district of Idaho, and that is the reason for a demonstration program of 12 States. That is why we have determined that a greater amount of flexibility is necessary in the area of education.

For the life of me, I cannot understand why Democrats want to block this bipartisan bill in the name of education. There is adequate time to debate other issues in education. I hope they will work with us. Coming out of the impeachment process I thought we were going to get a bipartisan environment from which to move the Nation's business forward. The Nation, I hope, is

listening today. The Nation's business is education. And it isn't moving forward. It isn't moving forward not because of Republicans but because of some folks on the other side of the aisle who think their agenda of larger Federal involvement and greater Federal control is an approach to educate our young people. Let the parents, the educators and the school boards decide.

Mr. President, I yield the floor.

Mr. FEINGOLD. Mr. President, I rise today to express my support for the Kennedy/Murray class size amendment. As we know, Mr. President, education is serious concern for people across the country, and I am pleased to see an education bill as one of the first priorities in this Congress.

Mr. President, last year Congress provided a one-time appropriation in the omnibus budget bill to hire approximately 30,000 new teachers across the country. The Kennedy/Murray amendment we are considering today authorizes a continuation of this effort for the next 6 years. This sends the signal to local school districts that Congress understands the importance of smaller classes and is committed to funding for class size reduction. This amendment takes a positive step toward helping school districts reduce class size as part of an overall effort to improve education and ensure that our children have the best chance to excel and reach their full potential.

As my own state of Wisconsin can attest—smaller classes make a difference in student's lives. Wisconsin's Student Achievement Guarantee in Education or SAGE program, now in its third year, continues to be a model for the nation in how to implement successful education reforms in our public schools by reducing public school class size in the earliest grades. I am very proud that Wisconsin's SAGE program is leading the charge to reduce public school class size across the nation, and pleased that this amendment will help keep SAGE thriving in Wisconsin.

The recently released second year SAGE evaluation again empirically demonstrates what we instinctively know; students in smaller classes get more attention from teachers and teachers with fewer students have more time and energy to devote to each child. Specifically, the first and second year evaluations confirm the achievements of SAGE students in all tested areas: mathematics, reading and language arts. The report shows total scores for SAGE students were significantly higher than those students at comparison schools.

The evidence shows that teachers in small classes can provide students with more individualized attention, spend more time on instruction and less on other tasks and cover more material more effectively. Again, Mr. President, SAGE has shown conclusively that the significance of small class size should

not be underestimated and cannot be ignored.

Class size should be at the forefront of the education agenda because there is a great national purpose in helping local schools reduce class size for children in the earliest grades. I would like to state Mr. President my strong belief that education should remain solidly a state and local function. However, I believe the federal government can have a constructive role supporting local efforts. Kennedy/Murray class size proposal is a perfect example.

Finally, Mr. President, I urge my colleagues to reach across the aisle to ensure that education is a top priority in the 160th Congress. I look forward to working in a bipartisan manner to reach consensus on these important issues to ensure that our children receive the highest quality education possible.

REPORT OF THE 1998 TRADE POLICY AGENDA AND 1997 ANNUAL REPORT ON THE TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT—PM 13

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance.

To the Congress of the United States:

As required by section 163 of the Trade Act of 1974, as amended (19 U.S.C. 2213), I transmit herewith the 1999 Trade Policy Agenda and the 1998 Annual Report on the Trade Agreements Program. This report includes the Annual Report on the World Trade Organization, as required by section 124 of the Uruguay Round Agreements Act (19 U.S.C. 3534).

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 9, 1999.*

REPORT OF THE NATIONAL ENDOWMENT FOR THE ARTS FOR CALENDAR YEAR 1996—MESSAGE FROM THE PRESIDENT—PM 14

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Health, Education, Labor, and Pensions.

To the Congress of the United States:

It is my pleasure to transmit herewith the Annual Report of the National Endowment for the Arts for Fiscal Year 1997.

The Arts Endowment awards more than one thousand grants each year to nonprofit arts organizations for projects that bring the arts to millions of Americans. Once again, this year's grants reflect the diversity of our Nation's culture and the creativity of our

artists. Whether seeing a classic theatrical production in Connecticut or an art exhibition in Arizona, whether listening to a symphony in Iowa or participating in a fine arts training program for inner-city students in Louisiana, Americans who benefit from Arts Endowment grants have experienced the power and joy of the arts in their lives.

Arts Endowment grants in 1997 supported:

- projects in theater, dance, music, visual arts, and the other artistic disciplines, demonstrating that our diversity is an asset—and helping us to interpret the past, understand each other in the present, and envision the future;
- folk and traditional arts programs, which strengthen and showcase our rich cultural heritage; and
- arts education, which helps improve our children's skills and enhances their lives with the richness of the arts.

The arts challenge our imaginations, nourish our spirits, and help to sustain our democracy. We are a Nation of creators and innovators. As this report illustrates, the NEA continues to celebrate America's artistic achievements and makes the arts more accessible to the American people.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 9, 1999.*

MEASURES PLACED ON THE CALENDAR

The following bill and joint resolution were read the second time and placed on the calendar:

S. 564. A bill to reduce class size, and for other purposes.

S.J. Res. 13. Joint resolution proposing an amendment to the Constitution of the United States to protect Social Security.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2103. A communication from the Attorney of the Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Authorization for Continued Manufacture of Certain MC-331 Cargo Tanks with Specified Shortages" (RIN2137-AD31) received on March 1, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2104. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock by Vessels Catching Pollock for Processing by the Inshore Component in the Bering Sea Subarea" (I.D. 022699B) received on March 2, 1999; to the

Committee on Commerce, Science, and Transportation.

EC-2105. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Species in the Rock Sole/Flathead Sole/"Other Flatfish" Fishery Category by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area" (I.D. 022699C) received on March 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2106. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Central Aleutian District and Bering Sea Subarea of the Bering Sea and Aleutian Islands" (I.D. 022699A) received on March 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2107. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Light Vehicle Brake Systems" (RIN2127-AH55) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2108. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Burnet, TX" (Docket 98-ASW-48) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2109. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Austin, TX" (Docket 98-ASW-49) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2110. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; San Angelo, TX" (Docket 98-ASW-52) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2111. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Austin, Horseshoe Bay, TX and Revocation of Class E Airspace, Marble Falls, TX" (Docket 98-ASW-51) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2112. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Taylor, TX" (Docket 98-ASW-50) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2113. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Roswell, NM" (Docket 98-ASW-53) received on February 26, 1999; to the Committee on Commerce, Science, and Transportation.